

CFW



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

-----  
In the Matter of the Application of: Biedermann et al.

Serial No.: 10/799,143

Filed: March 11, 2004

For: Anchoring Element for Use in Spine or Bone Surgery, Methods for Use and Production  
Thereof

Examiner: Pedro Philogene

Group Art Unit: 3732

-----  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States  
Postal Service as first-class mail addressed to the Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450 on June 23, 2005.

  
JoAnn F. Dilloway

**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT TRANSMITTAL LETTER**

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 CFR  
§§1.97-1.98. Please note the following particulars:

[NOTE: One only of items a, b, c, and d must be checked.]

- [ X ] a. The enclosed statement is being filed within three months of the filing date of a  
national application, or within three months of the date of entry into the national  
stage as set forth in 37 CFR §1.491 in an international application, or before the  
mailing date of a first Office Action on the merits, whichever event occurs last.
- [ ] b. The enclosed statement is being filed after a first Office Action on the merits but  
before the mailing date of a final Office Action under 37 CFR §1.113, or a  
notice of allowance under 37 CFR §1.311.

The enclosed statement is accompanied by [check one]:

- [     ] i. a certification in part (e) below as specified in 37 CFR §1.97(e);
- or
- [     ] ii. permission is hereby given to the Commissioner to charge Deposit Account No. 501581 in the amount of \$180 required by 37 CFR §1.17(p).
- [     ] c. The enclosed statement is being filed after the mailing date of a final action under 37 CFR §1.113, or a notice of allowance under 37 CFR §1.311, but before payment of the issue fee.

**PETITION:** It is requested that the information being submitted be considered.

[**Note:** If box (c) is checked, both of the following boxes must be checked.]

- [     ] **PETITION FEE:** Permission is hereby given to the Commissioner to charge Deposit Account No. 501581 in the amount of \$180.00 as required by 37 CFR §1.17(p).
- [     ] **CERTIFICATION** is attended to in box (e) below.
- [     ] d. The enclosed statement is being filed pursuant to 37 CFR §1.97(i), for placement in the file.
- [     ] e. **Certification**[Check one] [Certification is required only if box (b)(i) or box (c) has been checked.]
- [     ] I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement;

or

- [     ] I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no such item of information was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement;

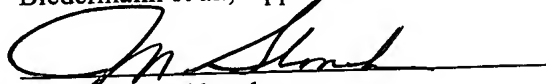
or

- [     ] Other appropriate certification is attached.

- [ ] f. If a fee is due in connection with this communication the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 501581. **If (f) is checked, a duplicate of this sheet is enclosed.**

Respectfully submitted,

Biedermann et al., Applicants



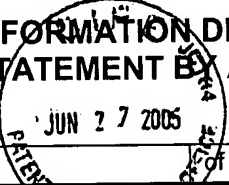
Jennifer Mae Slonaker

Registration No. 50568

Attorney for Applicants

Phone: 717.399.1535

Facsimile: 717.291.4660

FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  		Application Number		10/799,143	
		Filing Date		3/11/2004	
		First Named Inventor		Biedermann et al.	
		Group Art Unit		3732	
		Examiner Name		Pedro Philogene	
Sheet	1			Attorney Docket Number	40510-909

U. S. PATENT DOCUMENTS							
Examiner Initials		Document Number	Date	Name	Class	Sub-Class	Filing Date
	AA	6,485,491 B1	11/26/2002	Farris et al.	606	61	9/15/2000
	AB	5,817,094	10/6/1998	Errico et al.	606	61	1/23/1997
	AC	5,810,818	9/22/1998	Errico et al.	606	61	6/23/1997
	AD	5,554,157	9/10/1996	Errico et al.	606	61	7/14/1995
	AE	4,763,644	8/16/1988	Webb	128	69	3/25/1986
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						
	AQ						
	AP						
	AQ						
	AR						

FOREIGN PATENT DOCUMENTS							
Examiner Initials		Document Number	Date	Country	Class	Sub-Class	TRNS Y/N
	AS	DE 299 03 342 U 1	2/24/1999	Germany	A61 B 17/70	A61 B 17/58	N
	AT						
	AU						
	AV						
	AW						

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
	AX	Product information for Medtronic Sofamor Danek; CD Horizon Legacy 5.5 Spinal System dated 2003
	AY	
	AZ	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.